

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

January 21, 2003

COMMONWEALTH OF VIRGINIA

**VS.**

LEE BOYD MALVO

**a/k/a John Lee Malvo**

INDICTMENT FOR  
CAPITAL MURDER AND  
USING A FIREARM IN THE  
COMMISSION OF A FELONY

**COUNT I**

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2003, charges that: On or about the 14th day of October, 2002, in the County of Fairfax, Lee Boyd Malvo, a/k/a John Lee Malvo, did willfully, deliberately and with premeditation kill and murder Linda Franklin in the commission of an act of terrorism as defined in §18.2-46.4 of the Code of Virginia.

**Va. Code §18.2-31(13)**

**COUNT II**

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2003, charges that: On or about the 14th day of October, 2002, in the County of Fairfax, Lee Boyd Malvo, a/k/a John Lee Malvo, did willfully, deliberately and with premeditation kill and murder Linda Franklin, said killing being the killing of more than one person within a three year period.

**Va. Code §18.2-31(8)**

COUNT III

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2003, charges that: On or about the 14th day of October, 2002, in the County of Fairfax, Lee Boyd Malvo, a/k/a John Lee Malvo, did unlawfully use a firearm while committing the murder of Linda Franklin.

Va. Code §18.2-53.1

A True Bill ✓

No True Bill \_\_\_\_\_

/s/  
FOREMAN

Witnesses subpoenaed, sworn and  
available to testify before the  
Grand Jury:

Det. I. M. Boyle, Fairfax County Police Dept.